

City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-07-101**  
Date Filed: 9-11-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **690 Lindbergh Drive, N.E.**, be changed from SPI-15-subarea 8 (Special Public Interest-Lindbergh Transit Station Area- Subarea 8-- Lindbergh Residential) to the SPI-15-subarea 3 (Special Public Interest-Lindbergh Transit Station Area- Subarea 3- Piedmont Commercial), to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 48, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## Legal Description:

2-07-101

All that tract or parcel of land lying and being in land lot 48 of the 17th District of Fulton County, Georgia and being more fully shown and designated on an ALTA/ACSM, land title survey for Gables Residential that was last revised 06/21/07, prepared by Highland Engineering, Inc. and having the following metes and bounds to wit:

### Tract 1

Beginning at a PK nail found at an intersection of the southerly right-of-way of Morosgo Drive (60' R/W) and at the easterly right-of-way of Morosgo Place (50' R/W); thence continuing along the right-of-way of Morosgo Drive (60' R/W) South 82 degrees 03 minutes 00 seconds East (S82°03'00"E), at a distance of 323.36' to a PK nail found; thence turning and leaving said right-of-way and continuing along the westerly right-of-way of Morosgo Way (50' R/W) South 01 degrees 13 minutes 16 seconds West (S01°13'16"W) at a distance of 267.99' to a point; thence turning and transitioning to the right-of-way of Morosgo Place (50' R/W) and along the arc of a curve to the right an arc length of 67.23' (said arc having a chord bearing of South 49 degrees 21 minutes 28 seconds West (S49°21'28"W), at a distance of 59.59') to a point; thence continuing along the northerly right-of-way of Morosgo Place (50' R/W) North 82 degrees 42 minutes 16 seconds West (N82°42'16"W), at a distance of 248.82' to a point; thence continuing along said right-of-way North 69 degrees 55 minutes 26 seconds West (N69°55'26"W), at a distance of 4.52' to a point; thence turning and continuing along said right-of-way and along the arc of a curve to the right an arc length of 40.99' (said arc having a chord bearing North 35 degrees 31 minutes 21 seconds West (N35°31'21"W) at a distance of 38.40') to a point; thence turning along said right of way and continuing North 00 degrees 48 minutes 20 seconds East (N00°48'20"E) at a distance of 287.09' to a PK nail found, with said point being the **POINT OF BEGINNING**.

Said tract containing 2.28 acres (99,207 sq. ft.).

RECEIVED  
SEP 11 2007  
Bureau of  
Planning

194

2-07-101

## Legal Description:

All that tract or parcel of land lying and being in land lot 48 of the 17th District of Fulton County, Georgia and being more fully shown and designated on an ALTA/ACSM, land title survey for Gables Residential that was last revised 06/21/07, prepared by Highland Engineering, Inc. and having the following metes and bounds to wit:

### Tract 2

Beginning at a point at the intersection of the easterly right-of-way of Morosgo Way (50' R/W) and at the northern right-of-way of Lindbergh circle (R/W varies) bearing North 00 degrees 41 minutes 47 seconds East (N00°41'47"E) at a distance of 422.40' to a point along the eastern right-of-way of Morosgo Way (50' R/W); thence turning and continuing along the arc of a curve to the left with an arc length of 163.17' (said arc having a chord bearing of North 21 degrees 02 minutes 42 seconds West (N21°02'42"W) at a distance of 159.28') to a point, thence turning and continuing along said right-of-way and along the arc of a curve to the right an arc length of a 103.49' (said arc having a chord bearing of North 20 degrees 46 minutes 58 seconds West (N20°46'58"W) at a distance of 100.97') to a point; thence continuing along said right-of-way North 01 degrees 13 minutes 11 seconds East (N01°13'11"E) at a distance of 272.72' to a PK nail found at the intersection of the eastern right-of-way of Morosgo Way (50' R/W) and the southern right-of-way of Morosgo Drive (60' R/W); thence turning and continuing along the southern right-of-way of Morosgo Drive (60' R/W) South 82 degrees 00 minutes 30 seconds East (S82°00'30"E) at a distance of 108.30' to an iron pin found; thence turning and leaving said right-of-way and continuing along the common property line of N/F Lindbergh Station South 00 degrees 39 minutes 02 seconds West (S00°39'02"W) at a distance of 447.63' to a point; thence turning and continuing along said property line South 89 degrees 11 minutes 26 seconds East (S89°11'26"E) at a distance of 506.19' to a point at the western right-of-way of Adina Drive North (R/W varies); thence turning and continuing along said right-of-way South 00 degrees 25 minutes 48 seconds West (S00°25'48"W) at a distance of 470.86' to a PK nail found at the intersection of the western right-of-way of Adina Drive North (R/W varies) and the northern right-of-way of Lindbergh Circle (R/W varies); thence turning and continuing along the northern right-of-way of Lindbergh Circle (R/W varies) North 89 degrees 43 minutes 04 seconds West (N89°43'04"W) at a distance of 522.69' to a point, with said point being the **POINT OF BEGINNING**.

Said tract containing 6.66 acres (290,097 sq. ft.).

294

Z-07-101

## Legal Description:

All that tract or parcel of land lying and being in land lot 48 of the 17th District of Fulton County, Georgia and being more fully shown and designated on an ALTA/ACSM, land title survey for Gables Residential that was last revised 06/21/07, prepared by Highland Engineering, Inc. and having the following metes and bounds to wit:

RECEIVED  
SEP 11 2007  
Bureau of  
Planning

### Tract 3

Beginning at a iron pin found at a mitered intersection of the westerly right-of-way of Morosgo Way (50' R/W) and the northerly right-of-way of Lindbergh circle; thence bearing South 42 degrees 57 minutes 06 seconds West (S42°57'06"W), at a distance of 9.44' to a point; thence turning and continuing along the northerly right-of-way of Lindbergh Circle (R/W varies) North 81 degrees 55 minutes 38 seconds West (N81°55'38"W), at a distance of 55.50' to a point; thence continuing along said right of way and continuing North 72 degrees 30 minutes 38 seconds West (N72°30'38"W), at a distance of 50.00' to a point; thence continuing along said right-of-way North 61 degrees 22 minutes 38 seconds West (N61°22'38"W), at a distance of 50.00' to a point; thence continuing along said right-of-way North 53 degrees 01 minutes 08 seconds West (N53°01'08"W), at a distance of 70.86' to a point; thence turning and leaving said right-of-way North 16 degrees 04 minutes 56 seconds East (N16°04'56"E), at a distance of 1.55' to a #4 rebar found; thence continuing North 16 degrees 04 minutes 56 seconds East (N16°04'56"E), at a distance of 90.31' to an iron pin found; thence turning and continuing North 86 degrees 25 minutes 06 seconds East (N86°25'06"E), at a distance of 41.25' to a PK nail found; thence turning and continuing North 15 degrees 10 minutes 51 seconds East (N15°10'51"E), at a distance of 42.22' to a #4 rebar found; thence turning and continuing North 02 degrees 30 minutes 46 seconds West (N02°30'46"W), at a distance of 256.23' to a iron pin found; thence turning and continuing North 89 degrees 28 minutes 55 seconds West (N89°28'55"W), at a distance of 249.70' to a #4 rebar found; thence turning and continuing North 00 degrees 27 minutes 40 seconds east (N00°27'40"E), at a distance of 140.61' to a #4 rebar found at the southerly right-of-way of Morosgo Place (50' R/W); thence turning and continuing along said right-of-way South 82 degrees 42 minutes 40 seconds East (S82°42'40"E), at a distance of 254.34' to a point; thence turning and transitioning into the right-of-way of Morosgo Way (50' R/W) and along the arc of a curve to the right with an arc length of 240.53' (said arc having a chord bearing of South 41 degrees 03 minutes 57 seconds East (S41°03'57"E), at a distance of 219.79' to a point; thence continuing along said right-of-way South 00 degrees 41 minutes 20 seconds West (S00°41'20"W), at a distance of 414.97' to and iron pin found, with said point being the **POINT OF BEGINNING**.

Said tract containing 2.48 acres (108,068 sq. ft.)

384

2-07-101

## Legal Description:

All that tract or parcel of land lying and being in land lot 48 of the 17th District of Fulton County, Georgia and being more fully shown and designated on an ALTA/ACSM, land title survey for Gables Residential that was last revised 06/21/07, prepared by Highland Engineering, Inc. and having the following metes and bounds to wit:

RECEIVED  
SEP 11 2007  
Bureau of  
Planning

### Tract 4

Beginning at a #4 rebar found at the northerly right-of-way of Lindbergh Circle (R/W varies); thence continuing along said right-of-way North 52 degrees 36 minutes 23 seconds West (N52°36'23"W), at a distance of 113.28' to a #4 rebar set; thence continuing along said right-of-way and along the arc of a curve to the left an arch length of 171.07' (said arc having a chord bearing of North 61 degrees 21 minutes 15 seconds West (N61°21'15"W), at a distance of 170.40') to a #4 rebar set; thence turning and leaving said right-of-way and continuing along the property line of Rayburn G. Clay North 04 degrees 52 minutes 02 seconds East (N04°52'02"E), at a distance of 233.11' to a #4 rebar set; thence leaving said property line and continuing along the property line of N/F Earnest and Elias Livaditis North 05 degrees 48 minutes 15 seconds East (N05°48'15"E), at a distance of 6.10' to a #4 rebar found; thence turning and continuing along said property line South 89 degrees 12 minutes 41 seconds East (S89°12'41"E), at a distance of 35.48' to a #4 rebar found; thence leaving said line and continuing South 89 degrees 28 minutes 55 seconds East (S89°28'55"E), at a distance of 249.70' to an iron pin found; thence turning and continuing South 02 degrees 30 minutes 46 seconds East (S02°30'46"E), at a distance of 256.23' to a #4 rebar found; thence turning and continuing south 15 degrees 10 minutes 51 seconds West (S15°10'51"W), at a distance of 42.22' to a point; thence turning and continuing South 86 degrees 25 minutes 06 seconds West (S86°25'06"W), at a distance of 41.25' to an iron pin found; thence turning and continuing South 16 degrees 04 minutes 56 seconds West (S16°04'56"W), at a distance of 90.31' to a #4 rebar found at the northerly right-of-way Lindbergh Circle (R/W varies), said point being the **POINT OF BEGINNING**.

Said tract containing 2.15 acres (88,920 sq. ft.)

4 9 4